

IN THE SENATE OF THE UNITED STATES.

DECEMBER 22, 1857.—Ordered to be printed.

Mr. MASON made the following

REPORT.

[To accompany Bill S. 1.]

The Committee on Foreign Relations, to whom was referred the memorial of George P. Marsh, late minister resident of the United States to the Ottoman Porte, praying compensation for extra duties performed by him on a special mission to Greece, and for judicial services, under the act of August 11, 1848, have had the same under consideration, and now report :

That the committee concurring fully in the views presented in report No. 534, made by the Senate Committee on Foreign Relations, February 20, 1855, hereby adopt the same, and in accordance therewith report back the bill for the relief of the memorialist, and recommend its passage.

IN THE SENATE OF THE UNITED STATES, *February 20, 1855.*

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Mr. Marsh's memorial is in the following words, viz:

MEMORIAL OF GEORGE P. MARSH, OF VERMONT,

Asking an appropriation for the compensation of his services as minister resident to the Ottoman Porte, under the act of August 11, 1848, imposing judicial duties on the minister, and of his services under a special mission to the government of Greece.

*To the Honorable the Senate and House of Representatives
of the United States in Congress assembled :*

Your memorialist, a citizen of the State of Vermont, respectfully represents that, upon the 29th day of May, 1849, he was appointed

minister resident to the Ottoman Porte, and having entered upon the duties of his mission, he continued in charge of the same until the 19th day of December, 1853, when he had his final audience of leave.

By an act of Congress, approved on the 11th day of August, 1848, certain judicial duties were imposed on the commissioner of the United States to China, the minister resident of the United States to the Ottoman Porte, (sec. 22,) and the American consuls in both those countries; and by the 18th section of the act it was provided that a compensation of one thousand dollars per annum, in addition to his salary, should be paid to the "commissioner," in consideration of the duties imposed upon him by the act.

The predecessor of your memorialist, the Hon. Dabney S. Carr, claimed the payment of this sum in addition to his salary, but the Treasury Department refused to allow the same, on the ground that, though judicial duties were imposed by the act upon both the commissioner to China and the minister to Turkey, the compensation was intended to be given to the commissioner alone.

Upon his return to the United States, Mr. Carr presented his memorial to Congress praying the payment of various sums of money claimed by him and disallowed by the accounting officers; and, at the first session of the thirty-second Congress, by an amendment to the civil and diplomatic appropriation bill, the said sum of one thousand dollars per year, in addition to the salary, together with other moneys, was, as your memorialist is informed and believes, allowed to Mr. Carr for the performance of the judicial services aforesaid, from the date of the passage of the act to his final departure from Constantinople. Your memorialist conceives that this allowance by Congress is a legislative construction of the true intent and meaning of the act of 1848, and that he is therefore entitled to the same annual amount, but the accounting officers have credited him his salary only.

Your memorialist further shows that, by special instructions under date of April 29, 1852, the Department of State ordered your memorialist to proceed to Athens, in Greece, on board a vessel of the Mediterranean squadron, to investigate certain complaints preferred by Dr. Jonas King, an American citizen resident in Greece, against the government and the judicial tribunals of that country, report thereon, and, "after transmitting his report, to remain at Athens, or in its neighborhood, till he heard from the department." In pursuance of these instructions your memorialist embarked for Athens, as soon as a ship was ready to receive him, and arrived at that city on the 31st day of July, 1852. He immediately engaged in the intricate and laborious investigations committed to him; and having completed his reports in the month of October following, he transmitted them to the State Department, and, in compliance with his instructions, awaited the further orders of the department.

Upon the 5th of February, 1853, the President of the United States, through the State Department, instructed your memorialist to enter into communication with the government of Greece, and endeavor to obtain redress for the wrongs which Dr. King had suffered at the hands of that government and its judicial tribunals.

Your memorialist accordingly commenced a negotiation with the

minister of foreign affairs, and remained at Athens in the prosecution of the same until the 25th of June, 1853, when the alarming posture of affairs at Constantinople, in his judgment, required his immediate return thither and he accordingly proceeded to that city, but the correspondence with the Greek minister was continued until the recall of your memorialist.

By the original instructions of the State Department, your memorialist was directed to "keep an account of his travelling expenses whilst engaged in carrying out the instructions," and he accordingly presented an account, covering only some trifling disbursements for stationery, copying, &c, and his bare personal expenses, which has been allowed and paid.

Your memorialist further shows that, by the performance of the duties of the special mission committed to him, his household expenses were much augmented, and that the loss of rent, (his house having remained unoccupied during his absence,) the sacrifice on the sale of horses and stores upon his departure, the expenses of protecting his house and other property, and other contingencies, amounted to more than the entire sum received by him for personal expenses, and that he is consequently a loser to a considerable amount by the performance of the arduous duties imposed upon him.

Your memorialist therefore prays that an appropriation may be made for such reasonable compensation as to your honorable body shall seem meet for the services and expenses aforesaid.

All of which is respectfully submitted.

GEORGE P. MARSH.

BURLINGTON, VERMONT, *December 1, 1854.*

The Secretary of State, to whom the memorial was referred by the committee, with a request for such information on the subject as the department might afford, in his reply, dated January 26, 1855, fully confirms the statements of the memorial, and "bears cheerful testimony to the importance and peculiar character of the duties imposed upon him in his special mission to Greece, and to the fidelity and ability with which they were performed."

In view of the extra trouble and expense attendant upon the special mission to Greece, the committee are of opinion that the memorialist should be allowed the sum of four thousand five hundred dollars for extra compensation, together with the expenses incurred by him on account of said mission, the amount of which expenses to be ascertained, in the absence of regular vouchers, by the certificate of the party.

Compensation for judicial services having been allowed to the predecessor of the memorialist, by the act of August 31, 1852, making appropriation for the civil and diplomatic expenses of the government, the committee can perceive no just reason why a similar allowance should not be made to the present memorialist during his continuance in the same mission. They report a bill accordingly, and recommend its passage.

